

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON fka
THE BANK OF NEW YORK,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC,
SUNRISE RIDGE MASTER HOMEOWNERS
ASSOCIATION and JOSE GARCIA,

Defendants.

Case No. 2:17-cv-00003-RFB-GWF

ORDER

This matter is before the Court on SFR Investments Pool 1, LLC's Demand for Security of Costs Pursuant to NRS 18.130(1) (ECF No. 8), filed on March 1, 2017.

Defendant SFR has demanded that Plaintiff the Bank of New York Mellon, an out-of-state resident, post a cost bond under NRS 18.130(1). That statute allows a defendant in an action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs up to \$500. Nev. Rev. Stat. § 18.130(1). Once the demand is filed and served, “all proceedings in the action shall be stayed” until the cost bond is deposited. *Id.* If the plaintiff fails to post the cost bond within 30 days of the demand, the defendant may move for dismissal. Nev. Rev. Stat. § 18.130(4).

In this district, a demand is tracked as a motion in the court's system because a court order is required for the Clerk of Court to permit the posting of a cost bond. Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that SFR Investments Pool 1, LLC's Demand for Security of Costs Pursuant to NRS 18.130(1) (ECF No. 8) is **granted**.

IT IS FURTHER ORDERED that in the event that the cost bond is presented for deposit, the Clerk of Court is directed to accept the deposit of \$500 under NRS 18.130 as security for costs.

1 and charges that may be awarded against Plaintiff.

2 **IT IS FURTHER ORDERED** that Plaintiff must bring a copy of this order to the Clerk's
3 office when making this deposit.

4 **IT IS FURTHER ORDERED** that this case is stayed by operation of NRS 18.130(1) until
5 the \$500 cost bond is deposited.

6 DATED this 8th day of March, 2017.

7 
8 GEORGE FOLEY, JR.
9 United States Magistrate Judge

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